

17.102 Automated License Plate Recognition (ALPR)

Intel & Technology		
	Automated License Plate Recognition (ALPR)	General Order 17.102
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A. Purpose

The purpose of this Automated License Plate Recognition (ALPR) policy is to ensure: the privacy of the data, compliance with applicable laws and regulations, the security of the system, and the quality of data gathered. Furthermore, this policy provides employees of the Tempe Police Department with guidance on the application and management of ALPR systems.

B. Policy

Automated license plate recognition systems have enhanced law enforcement's ability to detect violations of law, recover stolen property, apprehend fugitives, and assist with investigations. Employees of the Tempe Police Department will use ALPR systems in accordance with the policy & procedures, department approved training, and operational guidelines set forth. Furthermore, data captured from ALPRs will be used properly and responsibly as defined herein.

C. Definitions

- 1. Aggregation of ALPR Data - referred to as "analyzed data" or data that becomes part of a case file shall be compliant with applicable laws and regulations.**
- 2. ALPR - Automated license plate recognition.**
- 3. ALPR Data - The images and the metadata associated with them are the primary forms of information collected by an ALPR system. Data files typically contain the following information:**

- o Black and white plate image.
- o Contextual color image.
- o Electronically readable format of plate alphanumeric characters of license plate numbers.
- o Location and GPS coordinates.
- o Time and date of image capture.
- o Camera identification.

4. GPS - Global Positioning System.

5. Hot List - Data which includes license plate numbers of stolen vehicles, stolen license plates, wanted person with a license plate associated with the record, and suspended or revoked registrations. Also includes national data (i.e. NCIC, NICB) for similar categories, for license plates associated with AMBER Alerts, terrorist watch lists and the like; also includes manually entered license plates information for crimes just occurred in a local jurisdiction, gang members, wanted persons, and other investigative targets.

6. Linkable information - Information about or related to an individual for whom there is a possibility of logical association with other information about the individual.

7. Linked information - Information about or related to an individual that is logically associated with other information about the individual.

8. LPR - License plate reader.

9. Personally identifiable information - Any information about an individual maintained by an agency, including (1) any information that can be used to distinguish or trace an individual's identity, such as name, Social Security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, education, financial, and employment information.

D. Procedures

1. General Administration

a. ALPR data is not personally identifiable information. A license plate number identifies a specific vehicle, not a specific person. Although a license plate number may be linked or otherwise associated with an identifiable person, this potential can only be realized through a distinct, separate step. Absent this extra step, the license plate number and the time and location data attached to it are not personally identifying. Thus, even though LPR systems automate the collection of license plate numbers, it is the investigation process that identifies individuals.

b. All installations and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Support Services Division. The Support Services Division Assistant Chief/Director will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

2. ALPR Operations and Retention

a. Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment of database records for any unauthorized purpose.

b. ALPR shall only be used for official and legitimate law enforcement purposes.

c. No member of this department shall operate ALPR equipment or access ALPR data without first completing department approved training.

d. While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR equipped vehicles to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

e. ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before collecting ALPR data.

f. ALPR data may be used to investigate hits and other circumstances in which law enforcement agents reasonably believe that the plate data are relevant to an ongoing criminal investigation, or to protect the health or safety of others.

g. Analyzed ALPR data that becomes part of a case file shall be compliant with applicable laws and regulations.

h. The Support Services Division Commander or designee is responsible to ensure proper collection and retention of ALPR data.

i. Retention of ALPR data will be stored in the Department's ALPR Server or appointed server for a period of no more than six (6) months. Thereafter, it shall be purged unless it has become, or is reasonable to believe it will become, evidence in a criminal investigation. In those circumstances, the applicable data should be downloaded from the server onto portable media and impounded as evidence. Case files containing ALPR data can be shared with prosecutors as permitted by law.

j. Hotlists should be updated as often as practicable, and/or at the beginning of each shift. Whenever a license plate reader alerts on a plate, before taking any action, officers are required to confirm visually that a plate matches the number and state identified in the alert, confirm that the alert is still active, and if the alert pertains to the registrant of the car and not the car itself. For

example, in a warrant situation, develop a reasonable belief that the vehicle's occupant(s) match any individual(s) identified in the alert.

3. Accountability and Safeguards

- a. All saved data will be closely safeguarded and protected by both procedural and technological means. The Tempe Police Department will observe such safeguards regarding access to and use of stored data.
- b. To protect privacy rights, no ALPR data will be released on any other individuals or entities. (U.S. Department of Justice v. Reporters Committee for Freedom of the Press 489 U.S. 749 (1989).
- c. All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password protected system capable of documenting all access of information by name, date and time.
- d. Persons approved to use ALPR systems and access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department related civil or administration action. Access to ALPR systems and data requires completion of approved department training and is non-transferable to other users. User access violations are subject to a loss of access and discipline per departmental guidelines (refer to [General Order 03.201 Code of Conduct](#)).
- e. All ALPR data queries must be accompanied by the law enforcement case number corresponding with the investigation. Without a case number or identification number, the system will not allow a query of license plate data.
- f. Requested ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- g. Sharing of ALPR data is permissible with other law enforcement agencies for legitimate law enforcement purposes in accordance with this policy.
- h. ALPR systems audits will be conducted on an annual basis.

